United Nations S/2016/330

Security Council

Distr.: General
11 April 2016

Original: English

Letter dated 6 April 2016 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith the response of the Government of Uganda to the statement made by the Permanent Representative of the United States of America to the United Nations, Samantha Power, at the 7653rd meeting of the Security Council, on 21 March 2016 (see annex).

At that meeting, the Security Council held an open debate on the prevention and resolution of conflicts in the Great Lakes region, in connection with the item entitled "Maintenance of international peace and security".

During the debate, Ms. Power acknowledged Uganda's positive contribution to international peace and security in the region; and her generous hosting of, and provision of social services to, more than 500,000 refugees. She went on, however, to criticize Uganda's democratic process, in particular the recently held general elections.

I should be grateful if the present latter and its annex could be circulated as a document of the Security Council.

(*Signed*) Richard **Nduhuura**
Permanent Representative

16-05932 (E) 130416

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Annex to the letter dated 6 April 2016 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Security Council

Response issued on 30 March 2016 by the Ministry of Foreign Affairs of Uganda to the statement made by the Permanent Representative of the United States of America to the United Nations at the open debate on the prevention and resolution of conflicts in the Great Lakes region, held by the Security Council on 21 March 2016, in connection with the item entitled "Maintenance of international peace and security".

At its 7653rd meeting, on 21 March 2016, the Security Council held an open debate on the **prevention and resolution of conflicts in the Great Lakes region, in connection with the item entitled "Maintenance of international peace and security"**. During the debate, the Permanent Representative of the United States of America to the United Nations, Samantha Power, among other issues, acknowledged the positive contribution made by Uganda to international peace and security in the region and her generous hosting of, and provision of social services to, more than 500,000 refugees. She was critical, however, of Uganda's democratic process, in particular last month's general elections, during which, she charged, the Government and its security forces had detained opposition figures without legal justification, harassed their supporters and intimidated the media. She also alleged that the Government had passed legislation restricting the operations of non-governmental organizations and that the actions of the President of Uganda, Yoweri Museveni, contravene the rule of law, jeopardize Uganda's democratic progress and threaten Uganda's future stability and prosperity.

In his media statement of 20 February, the Prime Minister of Uganda, Ruhakana Rugunda, addressed these same issues. In the lead-up to and immediately following the elections, inflammatory statements were made by one of the opposition leaders, Dr. Kizza Besigye, including a threat to make the country "ungovernable" through a defiance campaign. In addition, he declared his intention not to use any available legal means to seek redress for perceived grievances. The Government had credible information that he had every intention of carrying out this threat, including plans to mobilize a "one-million-man March" to the Electoral Commission, located in the middle of Kampala city, purportedly to collect his election results. This, despite the fact that he had opted not to pick them up on the appointed date. A march of this nature would have caused mayhem in the city centre and disrupted normal business. The Government has a responsibility to protect its citizens and their property and immediately imposed restrictions on those who wished to cause disruption and a breach of public order.

The Ugandan media environment is extremely free and pluralistic and the media are driven mainly by the private sector. There are over 24 daily and weekly newspapers, and 26 free-to-air and five pay-TV stations, as well as 220 licensed, operational radio stations countrywide. The Government does not exercise editorial or content supervision or censorship, nor did it do so at any time during the recently concluded elections. The law in Uganda mandates only the Electoral Commission to conduct and declare the results of elections. Restrictions on social media from 18 to 20 February 2016 were imposed in response to reliable information available to the Government indicating that some individuals were planning to cause disruption, mayhem and violence using social media platforms. For example, the opposition was

planning to declare, through social media, its own doctored, unofficial results, which is contrary to the law. Lessons learned from the significant role played by hate media in the genocide in Rwanda remain fresh. These restrictions in the public interest cannot be interpreted as representing an intimidation of the press.

Regarding the issue of the NGO Act, it should be made clear that its main purpose was to align the activities of non-governmental organizations with national priorities and government development plans as well as to hold those organizations to the same standard of accountability that they advocate for other actors.

Contrary to the views expressed by Ms. Power, the preventive measures put in place by the Government of Uganda are aimed at protecting Uganda's young democracy and promoting stability and prosperity in Uganda and the region as a whole. These measures arise from the need for balance in all democratic dispensations: We all have rights as well as responsibilities, especially with regard to acting within the rule of law even as we claim our individual rights.

United Nations A/ES-10/718–S/2016/331

General Assembly
Security Council

Distr.: General
8 April 2016
English
Original: Arabic

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-first year

Identical letters dated 29 March 2016 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

I transmit to you herewith the press statement issued by the Ministry of Foreign Affairs of the State of Palestine regarding the execution by occupying forces of the Palestinian youth Abdulfattah al-Sharif (21 years old) in Hebron on 24 March 2016 (see annex).

I should be grateful if the present letter and its annex could be issued as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad H. **Mansour**
Permanent Observer of the State of Palestine
to the United Nations

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Annex to the identical letters dated 29 March 2016 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

Ministry of Foreign Affairs: Execution of Al-Sharif is a fresh war crime that refutes the claims of Israel regarding the ethics of its army

The video clips of an occupying soldier executing the youth Abdulfattah al-Sharif (21 years old) in Hebron refute all the slogans trumpeted by occupation commanders about the ethics of the Israeli Army. Those clips conclusively prove the reality of what the Palestinian people endure at the hands of the Israeli killing machine, which has carried out dozens of extrajudicial executions of Palestinians. The video clips also confirm the truth of the Palestinian account of things, which has consistently held the Israeli Government and its various agencies directly responsible for such executions.

The Ministry of Foreign Affairs condemns in the strongest terms this heinous crime and all official Israeli statements and positions in defence of the "ethical" conduct of the Israeli Army and its agencies. Those statements and positions reflect the violent extremism of the members of the governing coalition in Israel and how they strive to provoke violence against the Palestinian people. The Ministry also condemns the statements made by Israeli Prime Minister Benjamin Netanyahu, who led a cohort of right-wing extremists in defence of those who torture and murder, and the ongoing oppression of Palestinians by his forces. In his statements, he rejected the criticisms directed against the occupying army, which he characterized as being "ethical", and called for support for the occupying soldiers. The Ministry furthermore condemns the racist and extremist statements of the Israeli Minister of Education, Naftali Bennett, who said that the soldier was not a murderer and should not be prejudged.

The Ministry stresses that the execution of the youth Abdulfattah al-Sharif is a heinous crime that has become commonplace since Netanyahu's Government decided to allow occupying soldiers to fire at Palestinians of whom they were merely suspicious, and to provide every form of protection, whether judicial, financial or moral, to soldiers and settlers who commit murder. That policy demonstrates how deeply rooted the ideology of violent extremism has become in Israeli society and official political, judicial and military institutions. This ideology now underpins an integrated system of incitement inside Israel that sanctions the murder of Palestinians and is fuelled by the religious rulings of extremist rabbis, at the forefront of whom is Chief Rabbi Yitzhak Yosef who issued a religious ruling that calls for any Palestinian carrying a knife to be killed.

The calls of the occupiers for the creation of a committee to hear the statements of the murdering soldier are a blatant attempt to mitigate the repercussions and deflect international criticism of this savage crime. This committee will arrive at the same conclusion reached by many of the previous sham investigative committees that the occupiers have formed after the revelation of any crime they commit against Palestinians, with a view to avoiding international accountability and punishment for their crimes. The Ministry calls on the

international community and international rights, legal and humanitarian organizations and councils, particularly the International Criminal Court, to conduct a comprehensive international legal review of all extrajudicial executions, in order to determine the truth and circumstances of those crimes and bring the perpetrators and their commanders before the competent international courts.

The Ministry calls on Palestinian and Arab human rights organizations to give more attention to and highlight these ongoing crimes, and to forcefully draw attention to them in international human rights forums. For its part, the Ministry will bring this case to the attention of the International Criminal Court, the Human Rights Council and the competent international agencies.

after an Israeli occupying jeep ran him over in an area of Yatta town near Al-Khalil. They all remain in critical condition.

Moreover, Israel has been unrelenting in its illegal colonization practices, with settlement and wall construction continuing unabated. An Israeli think tank has recently reported that additional budget transfers by the Israeli government to settlers living in illegal settlements grew 28.4 per cent in 2015 over 2014, a figure of $369.1 million dollars, clearly demonstrating the government's direct and deliberate investment, as well as obsession, with its settlement colonial project. And as the occupying Power builds and expands more illegal settlements in the Occupied Palestinian Territory, including East Jerusalem, which constitute not only grave breaches of the Fourth Geneva Convention but war crimes as defined by the Rome Statute of the International Criminal Court, it also continues with its illegal, repressive and punitive measures of home demolitions, leaving countless of Palestinian families homeless and hopeless. The destructive impact of such Israeli violations is immense, as reflected in rising tensions, deteriorating socioeconomic conditions and deepening anger and frustration among the Palestinian civilian population living under these nearly 50 years of Israeli occupation.

In this connection, in just one day alone, on 4 April 2016, seven Palestinian homes were demolished in Occupied East Jerusalem, Surif, Qabatia and Duma by Israeli occupying forces, leaving nearly 30 Palestinians homeless, including six children. Needless to say, according to international humanitarian law, this systematic and institutionalized practice of home demolition by the occupying Power in occupied territory is tantamount to collective punishment — a war crime.

Even after widespread condemnation of the demolitions on 4 April, the occupying Power carried out yet more home demolitions. On 6 April 2016, the occupying Power demolished six dwellings of Bedouin refugee families, leaving 34 people, including 19 children, homeless, from the community of Um Al-Khayr in the southern hills of Al-Khalil, located near the illegal so-called settlement of "Karmel". It has been documented that the Um Al-Khayr community has faced constant threats of displacement since the "Karmel" settlement was illegally established in 1981 and expanded onto villagers' land. In this regard, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) reports that, in 2016 alone, over 700 Palestinians have been displaced by Israeli demolitions in the West Bank. The Director of UNRWA Operations in the West Bank, Lance Bartholomeusz, said that just a little over three months into 2016, the figure is approaching the total number of displaced for all of 2015.

As the international community continues to witness these destructive home demolitions one must question: how is it that the Palestinian population, who are supposed to be protected under the Geneva Conventions, can maintain confidence in international law as they witness their homes being demolished, their land being stolen and the fabric of their communities being ripped apart by the occupying Power that is obligated to protect that civilian population under its occupation in accordance with the law? Instead, the occupying Power is the cause of their insecurity, suffering and dispossession, as it continues its destructive actions and continues to actually build Israeli settlements on the very same occupied lands where it is demolishing the homes of the Palestinian civilian population and all of this is being done without punishment or any accountability for such illegal actions? With this reprehensible trend on the rise and with the Office for the Coordination of Humanitarian Affairs reporting that some

90,000 Palestinians face potential displacement as a result of home demolitions, we urge the international community, in particular the Security Council, to demand an immediate end to this illegal Israeli practice. Without accountability, it is clear that such illegal behaviour will continue, with far-reaching consequences for the viability of the two-State solution and the objective of peace.

Before concluding, I must also draw attention to some of the other crimes perpetrated by Israel, the occupying Power, in the period since our last letter to you:

30 March 2016

- Israeli occupying forces detained 18 Palestinians, including five children, from Nablus, Bethlehem, Jenin, Al-Khalil and Jerusalem.
- Israeli naval boats attacked Palestinian fishermen's boats offshore of the northern Gaza Strip.
- Overnight, occupying forces stormed the family house of a Palestinian human rights worker for B'Tselem who had captured video footage of an Israeli soldier extrajudicially executing Abdul Fattah Al-Sharif, age 21, in Al-Khalil neighbourhood of Tal Rumeida.
- A Palestinian child, No'man Basal (age 14) sustained fractures and injuries after an Israeli occupying jeep ran him over in an area of Yatta town near Al-Khalil.

31 March 2016

- Occupying forces detained 13 Palestinians in predawn raids in Ramallah, Jenin and Nablus.
- Israeli occupying forces destroyed the interior walls of the family house of Ehab Miswada, who was shot dead by occupying forces about five months ago.

1 April 2016

- Israeli occupying forces detained 11 Palestinians in predawn raids across the West Bank.

2 April 2016

- Israeli navy boats opened fire at Palestinian fishermen off the coast of Rafah in the southern Gaza Strip, setting fire to a boat and causing it to sink.
- Occupying forces detained seven Palestinians from across Hebron, Bethlehem and Nablus.
- Occupying forces shot a Palestinian child, Hatem Abu Mayala (age 13), in the back of the head with a rubber-coated steel bullet as he walked to school in the Silwan neighbourhood of occupied East Jerusalem, causing severe bleeding and a deep wound. Once wounded, Hatem was also attacked and beaten up by the Israeli soldiers.

3 April 2016

- Israeli occupying forces detained 11 Palestinians, among them children, in predawn detention raids across the West Bank.
- Israeli occupying forces raided the town of Huwwara in Nablus, forcing shopkeepers on the town's main street to close down.

- Israeli naval boats shot machine gunfire towards Palestinian fishermen, who were sailing offshore of the central Gaza Strip.
- Israeli settlers razed private Palestinian land in the village of Jallud, south of Nablus.

4 April 2016

- Israeli occupying forces demolished five Palestinian-owned homes and a store in Al-Khalil, Nablus and East Jerusalem under the pretext of "construction without a permit".
- Israeli occupying forces punitively demolished the family homes of three Palestinians killed by occupying forces about two months ago.
- Israeli settlers from the illegal "Eli" settlement built on the land of Al-Libban Al-Sharqiah, south of Nablus, threw stones at Palestinians' vehicles, including those carrying families with children, travelling on the Ramallah-Nablus main road, breaking the windshield of one vehicle.
- At least 12 Palestinians, including a university instructor, were detained by occupying forces during predawn raids across the West Bank.
- A Palestinian boy, Yazan Khalid Naaji (age 12), was seriously injured after an Israeli soldier shot a rubber-coated steel bullet at his head, in Al-Issawiya neighbourhood of Occupied East Jerusalem.

5 April 2016

- Israeli occupying forces detained 25 Palestinians, including three children, and summoned at least three others for interrogation during predawn raids across the West Bank.
- Occupying forces notified three Palestinians of their intent to seize their private-owned solar panels in the village of Al-Markez, in Al-Khalil's Masafer Yatta area.
- Occupation military bulldozers infiltrated Gaza borders and razed agricultural lands to the east of Rafah in southern Gaza Strip.
- Occupying forces demolished the main slaughterhouse in Beit Sahour, east of Bethlehem.

6 April 2016

- Israeli occupying forces raided and ransacked the contents of a printing house in the village of Doha, west of Bethlehem.
- Israeli occupying forces detained 20 Palestinians from across the West Bank.
- Occupying forces demolished six homes and animal barns in Khirbet Um Al-Khayr, a small Bedouin village in the south of Al-Khalil.
- Occupying forces notified the family of Mos'ab Ghnemat, a Palestinian detainee in Israeli jails, about their intent to demolish their home in yet another act of collective punishment.
- Occupying forces forced a Palestinian family to demolish two rooms in their home in Beit Hanina, north of Occupied East Jerusalem, under the pretext of "unlicensed construction".

7 April 2016

- Israeli occupying forces demolished a number of Palestinian-owned residential structures in the village of Khirbet Tana, southeast of Nablus.
- A Palestinian was shot and injured by occupying forces near Joseph's Tomb, east of Nablus.
- Israeli occupying forces detained 14 Palestinians from across the West Bank.
- Occupying forces demolished a poultry house and automobile workshop in the village of Ni'lin, northwest of Ramallah, as well as a house and water well in the town of Samou, south of Al-Khalil.

As evidenced by the mounting list of human rights violations and violations of international humanitarian law, Israel, the occupying Power, remains in complete disrespect of the law, causing endless destruction, suffering and anguish for our people. We repeat today our appeal to the international community to provide protection for the Palestinian people, as a matter of urgency and in accordance with international law. We also call for urgent action to compel Israel to halt its illegal colonization campaign in Occupied Palestine, including East Jerusalem. Settlement construction must stop and home demolitions and land confiscations must end. This is imperative to stem the deterioration and reverse the dangerous reality on the ground. The international community must unequivocally demand an end to all of these Israeli violations and the Security Council, in particular, cannot be absolved of its responsibilities in this regard.

The time is long overdue to stop Israel from acting as a State above the law and in total contempt of the international community and clearly the time has come to finally end this illegal foreign occupation in all its manifestations. The Palestinian people cannot be expected to wait and wait while their lives continue to be destroyed, generation upon generation, by a merciless occupier while the world sits idly by, watching.

This letter is in follow-up to our 581 previous letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 30 March 2016 (A/ES-10/717-S/2016/295), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the
State of Palestine to the United Nations

United Nations S/2016/333

Security Council

Distr.: General
8 April 2016

Original: English

Letter dated 8 April 2016 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 2276 (2016), by which the Council decided to extend, until 24 April 2017, the mandate of the Panel of Experts, as specified in paragraph 26 of resolution 1874 (2009), and requested me to take the necessary administrative measures to that effect.

Accordingly, I wish to inform you that, after consulting with the Security Council Committee established pursuant to resolution 1718 (2006), I have appointed the following experts, as of 6 April 2016:

Mr. Benoît Camguilhem, missile technology (France)

Mr. Hugh Griffiths, air transport (United Kingdom of Great Britain and Northern Ireland)

Mr. Dmitry Kiku, customs and export controls (Russian Federation)

Mr. Youngwan Kim, weapons of mass destruction arms control and non-proliferation policy (Republic of Korea)

Ms. Stephanie Kleine-Ahlbrandt, finance (United States of America)

Ms. Maiko Takeuchi, nuclear issues (Japan)

Mr. Neil Watts, maritime transport (South Africa)

Mr. Jiahu Zong, other weapons of mass destruction and conventional arms (China)

I have designated Mr. Hugh Griffiths to serve as Coordinator of the Panel of Experts.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) BAN Ki-moon

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8 April 2016

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Letter dated 8 April 2016 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 2266 (2016), adopted by the Council on 24 February 2016, concerning Yemen. In paragraph 5 of the resolution, the Council decided to extend the mandate of the Panel of Experts on Yemen until 27 March 2017.

Accordingly, I wish to inform you that, after consulting with the Security Council Committee established pursuant to resolution 2140 (2014), I have appointed the following expert in international humanitarian law:

Ms. Dakshinie Ruwanthika Gunaratne (Sri Lanka)

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) BAN Ki-moon

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